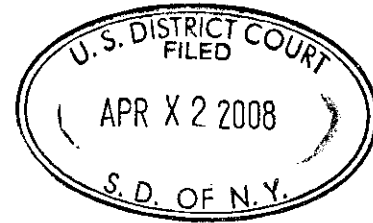


SCANNED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



JUAN ROBERTO DE LA CRUZ,

Petitioner,

-against-

CIVIL JUDGMENT
07 Civ. 11567 (KMW)

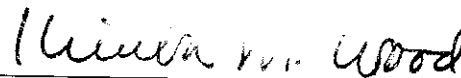
UNITED STATES OF AMERICA,

Respondent.

X

By order dated December 26, 2007, Petitioner was directed to submit either an amended petition for a writ of habeas corpus under 28 U.S.C. § 2241; an amended motion to vacate, set aside or correct a federal sentence under 28 U.S.C. § 2255; or a written request to have this action withdraw, within sixty (60) days of the date of that order. Petitioner, however, has failed to submit any of the abovementioned submissions within the time allowed. Therefore, it is,

ORDERED, ADJUDGED AND DECREED: That Petitioner's action is dismissed without prejudice. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Court's order or judgment would not be taken in good faith.



KIMBA M. WOOD
Chief Judge

Dated: **APR X 2 2008**
New York, New York

THIS DOCUMENT WAS ENTERED ON THE DOCKET ON _____.